

REMARKS

INTRODUCTION

In accordance with the foregoing, claim 1 has been amended and claims 8-26 have been cancelled without prejudice or disclaimer. No new matter is being presented, and approval and entry are respectfully requested.

Claims 1-7 are pending and under consideration. Reconsideration is respectfully requested.

ENTRY OF RESPONSE UNDER 37 C.F.R. §1.116

Applicants request entry of this Rule 116 Response and Request for Reconsideration because the amendment of independent claim 1 to include features previously found in claim 26 should not entail any further search by the Examiner since no new features are being added or no new issues are being raised. The Manual of Patent Examining Procedures articulates that the reason for any non-entry should be explained expressly in the Advisory Action.

REJECTION UNDER 35 U.S.C. §102

In the Office Action at pages 3-4, numbered items 5-8, claims 1, 5, and 26 were rejected under 35 U.S.C. §102(e) as being anticipated by newly cited U.S. Patent No. 6,430,308 to Ogawa. This rejection is traversed and reconsideration is requested.

Amended independent claim 1 is directed to a personal authentication system using biometrics information, which identifies or authenticates an individual by verifying to-be-verified biometrics characteristic data (obtained from to-be-verified biometrics information acquired at the time of the identification or authentication) against previously registered biometrics characteristic data (previously extracted for registration from to-be-registered biometrics information acquired at a time of user registration). Amended independent claim 1 recites, in relevant part, "a biometrics information converting section converting said to-be-verified biometrics information, acquired through said biometrics information inputting section, into a state to be acquired on a predetermined acquisition condition, said predetermined acquisition condition being a same condition under which the registered biometric information was acquired" and "wherein before the converting by the converting section, the biometrics information inputting section acquires the to-be-verified biometrics information in a state according to another predetermined acquisition condition that is different than the predetermined acquisition condition under which

the registered biometric information was previously acquired, and where after being converted the state of the acquired to-be-verified biometrics information is a same state as the previously registered biometrics characteristics data." Applicants respectfully submit that Ogawa fails to teach or suggest at least these features of the present invention.

Ogawa is directed to a handwriting verification device. More specifically, the handwriting verification device of Ogawa verifies an inputted signature by comparing the inputted signature against a stored signature. The present invention, in contrast, is directed toward a personal authentication system using biometrics information, which identifies or authenticates an individual by verifying biometrics characteristic data.

At page 3, the outstanding Office Action contends that Ogawa teaches a "biometrics information converting section" at col. 4, lines 45-60 and col. 7, lines 3-17. More specifically, Ogawa at col. 4, lines 47-49 states that "the normalization means 3 conducts the normalization of a position, size and number of the samples." Further, Ogawa teaches that this signature is normalized based on a position, size, and a number of sampling points on the inputted signature accommodated in a signature information accommodating buffer. See Ogawa at col. 5, line 53 to col. 6, line 15. Additionally, the normalized signature is compared against signatures registered in the registered signature dictionary 4 by the correspondence making means 5.

The present invention, in contrast, converts "said to-be-verified biometrics information, acquired through said biometrics information inputting section, into a state to be acquired on a predetermined acquisition condition." Thus, according to the present invention, the normalizing process of Ogawa is not required because the conversion is performed on the basis of information originally attached to the biometrics information.

Additionally, in the Office Action at page 8, the Examiner asserts that Ogawa at col. 4, lines 28-60 teaches that "before the converting by the converting section, the biometrics information inputting section acquires the to-be-verified biometrics information in a state according to another predetermined acquisition condition that is different than the predetermined acquisition condition under which the registered biometric information was previously acquired." Applicants respectfully disagree and respectfully submit that Ogawa fails to teach or suggest that the to-be-verified biometrics information is acquired according to any predetermined acquisition condition, or that the acquisition condition is different than the predetermined acquisition condition under which the registered biometric information was previously acquired.

For at least these reasons, Applicants respectfully submit that Ogawa fails to teach or suggest all of the features of independent claim 1 and those claims depending directly or indirectly therefrom. Accordingly, Applicants respectfully submit that independent claim 1 and

claims 2-7, which depend directly or indirectly therefrom, patentably distinguish over the prior art and are in condition for allowance.

REJECTION UNDER 35 U.S.C. §103

In the Office Action at pages 5-7, numbered items 10-15, claims 2-4, 6, and 7 were rejected under 35 U.S.C. §103(a) as being unpatentable over newly cited Ogawa in view of U.S. Patent No. 6,259,804 to Setlak, et al. The reasons for the rejection are set forth in the Office Action and therefore not repeated. The rejection is traversed and reconsideration is requested.

As discussed above, Applicants respectfully submit that Ogawa fails to teach or suggest all of the features of independent claim 1, from which claims 2-4, 6, and 7 depend. Applicants respectfully submit that Setlak, et al. fails to cure the deficiencies of Ogawa. Accordingly, Applicants respectfully submit that Ogawa and Setlak, et al., taken alone or in combination, fail to teach or suggest all of the features of claims 2-4, 6, and 7 and, therefore, claims 2-4, 6, and 7 are in condition for allowance.

CONCLUSION

In accordance with the foregoing, it is respectfully submitted that all outstanding objections and rejections have been overcome and/or rendered moot. And further, that all pending claims patentably distinguish over the prior art. Thus, there being no further outstanding objections or rejections, the application is submitted as being in condition for allowance which action is earnestly solicited.

If there are any underpayments or overpayments of fees associated with the filing of this Amendment, please charge and/or credit the same to our Deposit Account No. 19-3935.

Respectfully submitted,

STAAS & HALSEY LLP

Date:

July 11, 2005

By:

Paul I. Kravetz

Paul I. Kravetz
Registration No. 35,230

1201 New York Ave, N.W., Suite 700
Washington, D.C. 20005
Telephone: (202) 434-1500
Facsimile: (202) 434-1501